

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RAYMOND EARL PETERSON,)
Petitioner,) Civil Action No. 11-402
v.) District Judge Terrence F. McVerry
STEVEN GLUNT, *et al.*,)
Respondents.)

MEMORANDUM ORDER

On March 28, 2011, the above captioned case was initiated by the filing of a Motion for Leave to Proceed in forma pauperis and was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation filed on December 8, 2011 (ECF No. 13) recommended that the Petition for Writ of Habeas Corpus be dismissed based on Petitioner's failure to prosecute this action. Plaintiff was served with the Report and Recommendation at his listed address and was advised that he had until December 27, 2011 to file written objections to the Report and Recommendation. No objections have been filed.

After *de novo* review of the pleadings and documents in this case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 5th day of January, 2012;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is **DISMISSED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

s/ Terrence F. McVerry
Terrence F. McVerry
United States District Judge

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